

30 **57-16-4. Termination of lease or rental agreement -- Required contents of lease**
31 **-- Increases in rents or fees -- Sale of homes -- Notice regarding planned reduction or**
32 **restriction of amenities.**

33 (1) A mobile home park or its agents may not terminate a lease or rental agreement
34 upon any ground other than as specified in this chapter.

35 (2) Each agreement for the lease of mobile home space shall be written and signed by
36 the parties.

37 (3) Each lease shall contain at least the following information:

38 (a) the name and address of the mobile home park owner and any persons authorized
39 to act for the owner, upon whom notice and service of process may be served;

40 (b) the type of the leasehold, whether it be term or periodic, and, in leases entered into
41 on or after May 6, 2002, a conspicuous disclosure describing the protection a resident has
42 under Subsection (1) against unilateral termination of the lease by the mobile home park
43 except for the causes described in Section 57-16-5;

44 (c) (i) a full disclosure of all rent, service charges, and other fees presently being
45 charged on a periodic basis; and

46 (ii) a full disclosure of utility infrastructure owned by the mobile home park owner or
47 its agent that is maintained through service charges and fees charged by the mobile home park
48 owner or its agent;

49 (d) the date or dates on which the payment of rent, fees, and service charges are due;
50 and

51 (e) all rules that pertain to the mobile home park [~~which~~] that, if broken, may
52 constitute grounds for eviction, including, in leases entered into on or after May 6, 2002, a
53 conspicuous disclosure regarding:

54 (i) the causes for which the mobile home park may terminate the lease as described in
55 Section 57-16-5; and

56 (ii) the resident's rights to:

57 (A) terminate the lease at any time without cause, upon giving the notice specified in

58 the resident's lease~~;~~ and ~~to~~
59 (B) advertise and sell the resident's mobile home.
60 ~~[(3)]~~ (4) (a) Increases in rent or fees for periodic tenancies ~~[shall be]~~ are unenforceable
61 until 60 days after notice of the increase is mailed to the resident.
62 (b) If service charges are not included in the rent, the mobile home park may:
63 (i) increase service charges ~~[may be increased]~~ during the leasehold period after giving
64 notice to the resident ~~[is given];~~ and
65 (ii) pass through increases or decreases in electricity rates ~~[shall be passed through]~~ to
66 the resident.
67 (c) Annual income to the park for service charges may not exceed the actual cost to
68 the mobile home park of providing the services on an annual basis.
69 (d) In determining the costs of the services, the mobile home park may include
70 maintenance costs related to those utilities ~~[which]~~ that are part of the service charges.
71 ~~[(b)]~~ (e) The mobile home park may not alter the date ~~[or dates]~~ on which rent, fees,
72 and service charges are due unless the mobile home park provides a 60-day written notice
73 ~~[precedes the alteration]~~ to the resident before the date is altered.
74 ~~[(4) Any]~~ (5) (a) Except as provided in Subsection (3)(b), a rule or condition of a
75 lease ~~[purporting]~~ that purports to prevent or unreasonably limit the sale of a mobile home
76 belonging to a resident is void and unenforceable.
77 (b) The mobile home park:
78 (i) may~~[-, however,]~~ reserve the right to approve the prospective purchaser of a mobile
79 home who intends to become a resident~~[-, but the approval];~~
80 (ii) may not ~~[be]~~ unreasonably ~~[withheld. The mobile home park]~~ withhold that
81 approval;
82 (iii) may require proof of ownership as a condition of approval~~[- The mobile home~~
83 park]; or
84 (iv) may unconditionally refuse to approve any purchaser of a mobile home who does
85 not register ~~[prior to purchase]~~ before purchasing the mobile home.

86 ~~[(5)]~~ (6) If all of the conditions of Section 41-1a-116 are met, a mobile home park may
87 request ~~[from the Motor Vehicle Division]~~ the names and addresses of the lienholder or owner
88 of any mobile home located in the park from the Motor Vehicle Division.

89 ~~[(6)]~~ (7) (a) A mobile home park may not restrict a resident's right to advertise for sale
90 or to sell ~~[his]~~ a mobile home. ~~[However, the park]~~

91 (b) A mobile home park may limit the size of a "for sale" sign affixed to the mobile
92 home to not more than 144 square inches.

93 ~~[(7)]~~ (8) A mobile home park may not compel a resident who ~~[desires]~~ wishes to sell
94 ~~[his]~~ a mobile home~~[- either directly or indirectly,]~~ to sell it, either directly or indirectly,
95 through an agent designated by the mobile home park.

96 ~~[(8) In order to upgrade the quality of a]~~

97 (9) A mobile home park~~[-it]~~ may require that a mobile home be removed from the
98 park upon sale if:

99 (a) the mobile home park wishes to upgrade the quality of the mobile home park; and

100 ~~[(a)]~~ (b) the mobile home either does not meet minimum size specifications~~[- or (b)-~~
101 ~~the mobile home]~~ or is in a rundown condition or is in disrepair.

102 ~~[(9)]~~ (10) Within 30 days after a mobile home park proposes reducing or restricting
103 amenities, the mobile home park shall:

104 (a) schedule at least one meeting for the purpose of discussing the proposed restriction
105 or reduction of amenities with residents; and ~~[shall]~~

106 (b) provide at least ten days advance written notice of the date, time, location, and
107 purposes of the meeting to ~~[all residents]~~ each resident.

108 (11) If a mobile home park uses a single-service meter, the mobile home park owner
109 shall include a full disclosure on a resident's utility bill of the resident's utility charges.

110 ~~[(10) A]~~ (12) The mobile home park shall have a copy of this chapter ~~[shall be]~~
111 posted at all times in a conspicuous place in the mobile home park.